

Language Resources for PerformCare Members

PerformCare PA HealthChoices Program

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Training Overview

- Federal Language Requirements
- PA DHS Language Requirements
- PerformCare Policies and Procedures For LEP
- Language Resources

Federal Requirements and Resources

- MA providers must comply with the regulations and requirements to provide services to Members with Limited English Proficiency (LEP), vision limitations, and/or auditory limitations, including providing interpretation and translation services free of charge to MA beneficiaries.
- Federal requirements are delineated in Section 601 of Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. 2000d, Federal Executive Order 13166, Title III of the Americans with Disabilities Act (ADA) of 1990 and Section 1557 of the Patient Protection and Affordable Care Act of 2010 (Pub. L. 111-148)
- Federal Office of Civil rights Limited English Proficiency (LEP) information can be found here:

<https://www.hhs.gov/civil-rights/for-providers/laws-regulations-guidance/guidance-federal-financial-assistance-title-vi/index.html>

<https://www.hhs.gov/civil-rights/for-individuals/special-topics/limited-english-proficiency/guidance-federal-financial-assistance-recipients-title-vi/index.html>

- Providing language services to diverse populations: Lessons from the field

<https://www.cms.gov/About-CMS/Agency-Information/OMH/Downloads/Lessons-from-the-Field-508.pdf>

- Medicaid providers must provide interpretation and translation services free of charge to all individuals who have LEP, vision limitations, and/or auditory limitations, per federal guidelines.
- Medicaid providers must provide appropriate auxiliary aids and services, such as alternative formats and sign language interpreters, free of charge where necessary for effective communication.
- Medicaid providers must provide language assistance services, which may include translation services. Providers are not to rely on unqualified staff and/or translators when providing language assistance services.
- Required to post taglines in the top 15 non-English languages spoken by individuals. The taglines must be posted in physical and online locations where they can be easily seen by members of the public to alert individuals with LEP to the availability of language assistance services.

PA DHS Requirements

Pennsylvania Department of Human Services has also issued guidance on Limited English Proficiency Requirements per Medical Assistance Bulletin 99-17-11, which states:

To comply with the federal law, MA providers are reminded that they are:

- Required to post taglines in the top 15 non-English languages spoken by individuals in the Commonwealth. The taglines must be posted in physical and online locations where they can be easily seen by members of the public to alert individuals with LEP to the availability of language assistance services.
- Required to include taglines in at least the top 15 non-English languages in the Commonwealth, in large-sized significant communications such as outreach publications or written notices.
- Required to include taglines in at least the top two non-English languages in the Commonwealth, Spanish and Russian, in small sized significant communications such as postcards.
- Required to provide appropriate auxiliary aids and services, such as alternative formats and sign language interpreters, free of charge where necessary for effective communication.
- Required to provide language assistance services, which may include translation services. Providers are not to use low-quality video remote interpreting services or rely on unqualified staff and/or translators when providing language assistance services.
- Required to post a notice of individuals' rights that includes information about communication assistance that is available for individuals with LEP.
- Required to make all programs and activities provided through electronic information technology accessible to individuals with disabilities, unless doing so would impose undue financial or administrative burdens or would result in a fundamental alteration in the nature of the covered entity's program or activity

- PerformCare has started sharing data on enrolled HealthChoices Member's primary spoken language sorted by County. PerformCare distributed that data via Provider Notice Ad 21-107 dated September 29, 2021. PerformCare will distribute that data at six month intervals to assist providers in identifying population language needs.
- PerformCare also provides financial assistance to Providers to assist with the cost of meeting their Federal obligation to provide interpreter services free of charge to Members. PerformCare Policy PR - 027 outlines the requirements and the procedures for reimbursement.
- Per PR-027, ambulatory providers who meet the requirements may bill PerformCare using either the U4 modifier or by using add on code 90875 as described in PR-027. Procedure 2. requires that " The interpreter services must be purchased from a professional agency or sole practitioner whose business is primarily providing such services."
- And per PR-027, facilities with negotiated rates should build in the costs of interpreter services into their negotiated rates.
- Consistent with Federal guidance, PerformCare advises Providers not to use family members or unqualified staff to perform Interpreter services. Using family members is permitted in cases of emergency or when there is a need for timely communication, and the use of unqualified interpreters is not eligible for reimbursement under this policy.

Language Resources

Interpreter resource information provided by PerformCare and County partners include:

Language Line: <https://www.languageline.com/s/>

Cumberland Perry MH/IDD: Geneva Worldwide offers both by phone and in-person interpreters. <https://www.genevaworldwide.com/> (212) 255-8400 ext. 201.

Dauphin County MH/A/DP and CMU: International Service Center: In person <http://www.isc76.org/programs/social-services-for-individuals-families-ssif/> [isc76.org]
For Members who are deaf or hard of hearing : ASL Services, 2536 Eastern BLVD #130, York, PA 17402 717-755-3212 Email: billing@aslservicespa.com

Lancaster County BH/DS: Disability Empowerment Center <https://www.decpa.org> and Deaf and Hard of Hearing Services (United Way) Contact: Elizabeth Fechtmann-Crippen, (717) 509-6622, (717) 291-1830, efcrippen@dhhslancaster.org

Lebanon County MH/ID/EI: Exact Communication <https://exactcommunication.com/> and Lenantha Zinsky for sign language needs.

Franklin/Fulton MH/IDD/EI: International Corporate Training & Marketing www.ictmlc.com

Translations, Interpretations, Training, Multicultural Marketing and Outreach, Contact: Sila Alegret-Bartel, Hagerstown, MD Chambersburg, PA Martinsburg, WV; Phone (240) 420-0803 sila@ictmlc.com

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Members!

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20 YEARS
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